

CASE 33602-US-PCT

FILING BY "EXPRESS MAIL" UNDER 37 CFR 1.10

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7/30/2008

Date of Deposit

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE PCT NATIONAL STAGE APPLICATION OF

Art Unit: 1614

DAVID LOUIS FELDMAN

INTERNATIONAL APPLICATION NO: PCT/2005/000597

FILED: 21 JANUARY 2005

U.S. APPLICATION NO: 10/586,013

35 USC §371 DATE: 14 JULY 2006

FOR: COMBINATION OF ORGANIC COMPOUNDS

MS: PCT

Commissioner for Patents

PO Box 1450

Alexandria, VA 22313-1450

LETTER CORRECTING OFFICIAL FILING RECEIPT AND NOTICE OF
ACCEPTANCE

Sir:

The official filing receipt received in the above-identified application erroneously lists the "**Domestic Priority data as claimed by applicant**". The U.S. provisional application from which the instant application claims benefit of was listed incorrectly. The provisional application number and the priority filing date should read: **60/538,222 01/22/2004** not **60/583,222 06/25/2004**. Enclosed is a copy of the title page of the instant PCT International Publication No. WO 2005/070406 which shows this to be true.

Upon further review of the file, it was noted that the "Notice of Acceptance of Application Under 371, dated June 20, 2008 (a copy is enclosed herewith) also had the wrong priority filing date.

After reviewing the file and finding no evidence of an error by Applicant, it is believed that this error is ascribable to the Patent Office. Accordingly, Applicants now request a correction of both documents mentioned above to avoid having any problems in the future.

Please issue a corrected filing receipt listing the domestic priority data as follows:

--Domestic Priority data as claimed by applicant

This application is a 371 of PCT/P2005/000597 01/21/-2005
which claims benefit of **60/538,222 01/22/2004 --**.

A copy of the filing receipt with the correction noted is enclosed.

No fee is believed to be required by this request for a corrected filing receipt.

Respectfully submitted,

Novartis Pharmaceuticals Corp.
Patents Pharma
One Health Plaza, Building 104
East Hanover, NJ 07936-1080
(862) 778-7831
Encl.: copy of filing receipt
copy of title page of WO2005/070406
copy of Notice of Acceptance

Date:

7/30/08



Gregory D. Ferraro
Attorney for Applicant
Reg. No. 36,134

(12) INTERNATIONAL APPLICATION PUBLISHED UNDER THE PATENT COOPERATION TREATY (PCT)

(19) World Intellectual Property
Organization
International Bureau



(43) International Publication Date
4 August 2005 (04.08.2005)

PCT

(10) International Publication Number
WO 2005/070406 A1

(51) International Patent Classification⁷: **A61K 31/165**,
31/454, A61P 9/12

(74) Agent: **GRUBB, Philip**; Novartis AG, Corporate Intellectual Property, CH-4002 Basel (CH).

(21) International Application Number:
PCT/EP2005/000597

(81) Designated States (unless otherwise indicated, for every kind of national protection available): AE, AG, AL, AM, AT, AU, AZ, BA, BB, BG, BR, BW, BY, BZ, CA, CH, CN, CO, CR, CU, CZ, DE, DK, DM, DZ, EC, EE, EG, ES, FI, GB, GD, GE, GH, GM, HR, HU, ID, IL, IN, IS, JP, KE, KG, KP, KR, KZ, LC, LK, LR, LS, LT, LU, LV, MA, MD, MG, MK, MN, MW, MX, MZ, NA, NI, NO, NZ, OM, PG, PH, PL, PT, RO, RU, SC, SD, SE, SG, SK, SL, SY, TJ, TM, TN, TR, TT, TZ, UA, UG, US, UZ, VC, VN, YU, ZA, ZM, ZW.

(22) International Filing Date: 21 January 2005 (21.01.2005)

(25) Filing Language: English

(26) Publication Language: English

(30) Priority Data:
60/538,222 22 January 2004 (22.01.2004) US

(84) Designated States (unless otherwise indicated, for every kind of regional protection available): ARIPO (BW, GH, GM, KE, LS, MW, MZ, NA, SD, SL, SZ, TZ, UG, ZM, ZW), Eurasian (AM, AZ, BY, KG, KZ, MD, RU, TJ, TM), European (AT, BE, BG, CH, CY, CZ, DE, DK, EE, ES, FI, FR, GB, GR, HU, IE, IS, IT, LT, LU, MC, NL, PL, PT, RO, SE, SI, SK, TR), OAPI (BF, BJ, CF, CG, CI, CM, GA, GN, GQ, GW, ML, MR, NE, SN, TD, TG).

(71) Applicant (for all designated States except AT, US): **NOVARTIS AG** [CH/CH]; Lichtstrasse 35, CH-4056 Basel (CH).

(71) Applicant (for AT only): **NOVARTIS PHARMA GMBH** [AT/AT]; Brunner Strasse 59, A-1230 Vienna (AT).

(72) Inventor; and

(75) Inventor/Applicant (for US only): **FELDMAN, David, Louis** [US/US]; 945 Lincoln Place, Teaneck, NJ 07666 (US).

Published:

— with international search report

For two-letter codes and other abbreviations, refer to the "Guidance Notes on Codes and Abbreviations" appearing at the beginning of each regular issue of the PCT Gazette.

(54) Title: **COMBINATION OF ORGANIC COMPOUNDS**

(57) Abstract: The invention relates to a combination, such as a combined preparation or pharmaceutical composition, respectively, comprising the renin inhibitor of formula (I) or a pharmaceutically acceptable salt thereof and at least one PDGF receptor tyrosine kinase inhibitor.

WO 2005/070406 A1

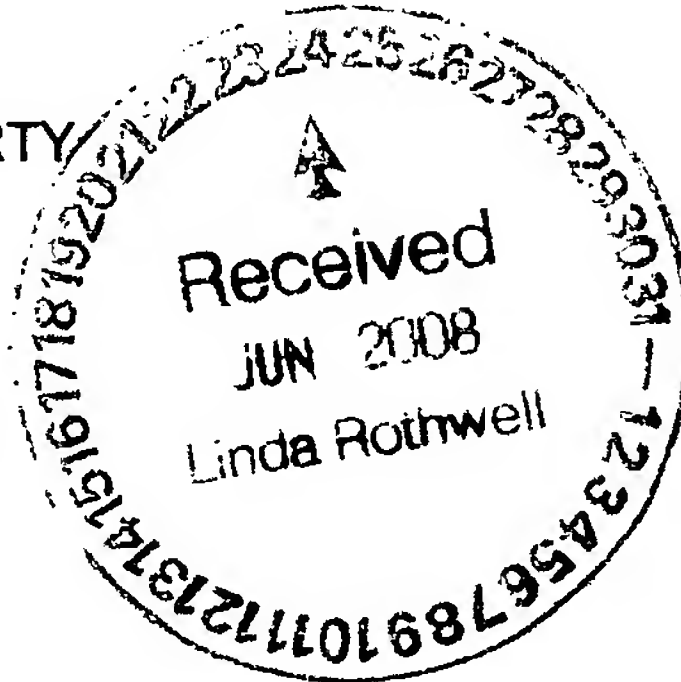


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www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/586,013 ✓	David Louis Feldman ✓	33602-US-PCT ✓

1095
NOVARTIS
CORPORATE INTELLECTUAL PROPERTY
ONE HEALTH PLAZA 104/3
EAST HANOVER, NJ 07936-1080



INTERNATIONAL APPLICATION NO.	
PCT/EP2005/000597 ✓	
I.A. FILING DATE	PRIORITY DATE
01/21/2005 ✓	06/25/2004

CONFIRMATION NO. 9326
371 ACCEPTANCE LETTER



Date Mailed: 06/20/2008

NOTICE OF ACCEPTANCE OF APPLICATION UNDER 35 U.S.C 371 AND 37 CFR 1.495

The applicant is hereby advised that the United States Patent and Trademark Office in its capacity as a Designated / Elected Office (37 CFR 1.495), has determined that the above identified international application has met the requirements of 35 U.S.C. 371, and is ACCEPTED for national patentability examination in the United States Patent and Trademark Office.

The United States Application Number assigned to the application is shown above and the relevant dates are:

07/14/2006 ✓
DATE OF RECEIPT OF 35 U.S.C. 371(c)(1),
(c)(2) and (c)(4) REQUIREMENTS

12/25/2006
DATE OF COMPLETION OF ALL
35 U.S.C. 371 REQUIREMENTS

A Filing Receipt (PTO-103X) will be issued for the present application in due course. **THE DATE APPEARING ON THE FILING RECEIPT AS THE " FILING DATE" IS THE DATE ON WHICH THE LAST OF THE 35 U.S.C. 371 (c)(1), (c)(2) and (c)(4) REQUIREMENTS HAS BEEN RECEIVED IN THE OFFICE. THIS DATE IS SHOWN ABOVE.** The filing date of the above identified application is the international filing date of the international application (Article 11(3) and 35 U.S.C. 363). Once the Filing Receipt has been received, send all correspondence to the Group Art Unit designated thereon.

The following items have been received:

- Copy of the International Application filed on 07/14/2006
- Copy of the International Search Report filed on 07/14/2006
- Preliminary Amendments filed on 07/14/2006
- Information Disclosure Statements filed on 07/14/2006
- Oath or Declaration filed on 07/14/2006
- U.S. Basic National Fees filed on 07/14/2006
- Priority Documents filed on 07/14/2006

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

ANITA D JOHNSON

Telephone: (703) 308-9140 EXT 226



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
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Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NUMBER	FILING or 371(c) DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	TOT CLAIMS	IND CLAIMS
10/586,013 ✓	07/14/2006 ✓	1614	900	33602-US-PCT ✓	17	3

CONFIRMATION NO. 9326

FILING RECEIPT



OC000000030470966

1095
NOVARTIS
CORPORATE INTELLECTUAL PROPERTY
ONE HEALTH PLAZA 104/3
EAST HANOVER, NJ 07936-1080

Date Mailed: 06/20/2008

Receipt is acknowledged of this non-provisional patent application. The application will be taken up for examination in due course. Applicant will be notified as to the results of the examination. Any correspondence concerning the application must include the following identification information: the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please submit a written request for a Filing Receipt Correction. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections

Applicant(s)

David Louis Feldman, Teaneck, NJ; ✓

Power of Attorney: The patent practitioners associated with Customer Number 1095

Domestic Priority data as claimed by applicant

This application is a 371 of PCT/EP2005/000597 01/21/2005 ✓
which claims benefit of 60/583,222 06/25/2004 *wrong*

Foreign Applications

60/538,222 01/22/04



If Required, Foreign Filing License Granted: 06/13/2008

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is **US 10/586,013**

Projected Publication Date: 09/25/2008

Non-Publication Request: No

Early Publication Request: No

Title

Combination of Organic Compounds

Preliminary Class

514

PROTECTING YOUR INVENTION OUTSIDE THE UNITED STATES

Since the rights granted by a U.S. patent extend only throughout the territory of the United States and have no effect in a foreign country, an inventor who wishes patent protection in another country must apply for a patent in a specific country or in regional patent offices. Applicants may wish to consider the filing of an international application under the Patent Cooperation Treaty (PCT). An international (PCT) application generally has the same effect as a regular national patent application in each PCT-member country. The PCT process **simplifies** the filing of patent applications on the same invention in member countries, but **does not result** in a grant of "an international patent" and does not eliminate the need of applicants to file additional documents and fees in countries where patent protection is desired.

Almost every country has its own patent law, and a person desiring a patent in a particular country must make an application for patent in that country in accordance with its particular laws. Since the laws of many countries differ in various respects from the patent law of the United States, applicants are advised to seek guidance from specific foreign countries to ensure that patent rights are not lost prematurely.

Applicants also are advised that in the case of inventions made in the United States, the Director of the USPTO must issue a license before applicants can apply for a patent in a foreign country. The filing of a U.S. patent application serves as a request for a foreign filing license. The application's filing receipt contains further information and guidance as to the status of applicant's license for foreign filing.

Applicants may wish to consult the USPTO booklet, "General Information Concerning Patents" (specifically, the section entitled "Treaties and Foreign Patents") for more information on timeframes and deadlines for filing foreign patent applications. The guide is available either by contacting the USPTO Contact Center at 800-786-9199, or it can be viewed on the USPTO website at <http://www.uspto.gov/web/offices/pac/doc/general/index.html>.

For information on preventing theft of your intellectual property (patents, trademarks and copyrights), you may wish to consult the U.S. Government website, <http://www.stopfakes.gov>. Part of a Department of Commerce initiative, this website includes self-help "toolkits" giving innovators guidance on how to protect intellectual property in specific countries such as China, Korea and Mexico. For questions regarding patent enforcement issues, applicants may call the U.S. Government hotline at 1-866-999-HALT (1-866-999-4158).

LICENSE FOR FOREIGN FILING UNDER**Title 35, United States Code, Section 184****Title 37, Code of Federal Regulations, 5.11 & 5.15****GRANTED**

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as

set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

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NOT GRANTED

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).